



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

16

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/557,264	04/24/2000	Glen Kazumi Okita	02365.P0015	8596

7590 12/08/2003

Andre L Marais
Blakely Sokoloff Taylor & Zafman LLP
12400 Wilshire Boulevard Seventh Floor
Los Angeles, CA 90025

EXAMINER

CUNNINGHAM, GREGORY F

ART UNIT	PAPER NUMBER
----------	--------------

2676

DATE MAILED: 12/08/2003

17

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/557,264

Applicant(s)

OKITA ET AL.

Examiner

Greg Cunningham

Art Unit

2676

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,4-10,13,14,16,19-22 and 24-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,4,5,7-10,13,14,16,19-22 and 24-26 is/are rejected.
- 7) ☒ Claim(s) 6 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 April 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

1. This action is responsive to communications of RCE filed 09/15/2002.
2. The disposition of the claims is as follows: claims 1, 4-10, 13-14, 16, 19-22 and 24-26 are pending in the application. Claims 2-3, 11-12, 17-18 and 23 were previously cancelled. Claims 1, 9, 13, and 24-26 are independent claims.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

4. Claims 1, 4-5, 7-10, 13-14, 16, 19-22 and 24-25 are rejected under 35 U.S.C. 102(a) as being disclosed by Asai et al., (US Patent 5,903,730), hereafter Asai.
 - A. Claim 1, “A method of displaying information relating to a workflow driven by a computer system comprising: executing the workflow [col. 3, lns. 18-39]; calculating execution statistics relating to the execution of the workflow on the computer system [col. 3, lns. 46-58]; displaying a workflow diagram on a display screen associated with the computer system [col. 4, lns. 8-15]; and overlaying the execution statistics over the workflow diagram, wherein the execution statistics are for various steps displayed in the workflow diagram [col. 9, lns. 4-36]” is disclosed [as detailed].

Art Unit: 2676

B. Claim 4, “The method of claim 1, wherein the overlaid execution statistics indicates the number of times a certain step was executed [col. 5, ln. 61 – col. 6, ln. 7]” is disclosed supra for claim 1 and [as detailed].

C. Claim 5, “The method of claim 1, further comprising: selectively overlaying the execution statistics over the workflow diagram [col. 9, ln. 24 – col. 11, ln. 26]” is disclosed supra for claim 1 and [as detailed].

D. Claim 7, “The method of claim 1, further comprising: color coding the execution statistics [col. 10, ln. 64 – col. 11, ln. 12]” is disclosed supra for claim 1 and [as detailed].

E. Claim 8, “The method of claim 7, wherein the execution statistics are color coded based on threshold values [col. 10, ln. 64 – col. 11, ln. 12]” is disclosed supra for claim 1 and [as detailed]. Wherein the threshold values are logically conditional values for example “true” or “false”.

F. Claim 9, “A workflow system comprising: a workflow server engine to execute workflows; a display device to display workflow diagrams; and an overlay data provider to provide calculated execution statistics relating to an execution workflow to be overlaid over the workflow diagram displayed on the display device” is disclosed supra for claim 1. Wherein the plurality of processors correspond to server network.

G. Claim 9, “The workflow system of claim 9, wherein the display device is a workflow editor” is disclosed supra for claim 9 and in [col. 4, lns. 15-50]. Wherein library of routines, source code and extracts correspond to editor.

H. Claim 13, “A method of collecting information relating to a workflow driven by a computer system comprising: executing the workflow [col. 3, lns. 18-39]; calculating execution

Art Unit: 2676

statistics relating to the execution of the workflow on the computer system [col. 3, lns. 46-58]; displaying a workflow diagram on a display screen associated with the computer system [col. 4, lns. 8-15]; and overlaying the execution statistics over the workflow diagram [col. 9, lns. 4-36]" is disclosed [as detailed].

I. Claim 14, "The method of claim 13 further comprising displaying the collected information on the display screen" is disclosed supra for claim 13.

J. Claim 16, "The method of claim 13, wherein the execution statistics includes the number of times a step in the workflow is executed [col. 5, ln. 61 – col. 6, ln. 7]" is disclosed supra for claim 13 and [as detailed].

K. Claim 19, "The method of claim 13, wherein the execution statistics includes the execution time of one or more steps [col. 5, ln. 61 – col. 6, ln. 7]" is disclosed supra for claim 13 and [as detailed].

L. Claim 20, "The method of claim 13, wherein the execution statistics includes the number of exceptions encountered during execution of the workflow" is disclosed supra for claim 13.

M. Claim 21, "The method of claim 13, wherein the execution statistics are displayed as a raw number [col. 1, lns. 34-51]" is disclosed supra for claim 13 and [as detailed]. Wherein the conventional method of displaying execution profiles corresponds to the captured raw data.

N. Claim 22, "The method of claim 13, wherein the execution statistics are displayed as percentages [col. 11, lns. 15-34]" is disclosed supra for claim 13 and [as detailed].

O. Per independent claim 24, this is directed to a method for performing the method of independent claim 1 and dependent claim 4, and therefore is rejected to independent claim 1 and dependent claim 4.

Art Unit: 2676

P. Per independent claim 25, this is directed to a method for performing the method of independent claim 13 and dependent claim 19, and therefore is rejected to independent claim 13 and dependent claim 19.

Q. Claim 26, "A method of collecting information ... with the computer system" is disclosed supra for claims 13 and 20.

Allowable Subject Matter

5. Claim 6 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

6. Applicant's arguments with respect to claims 1, 4-10, 13-14, 16, 19-22 and 24-26 have been considered but are moot in view of the new ground(s) of rejection.

Responses

7. Responses to this action should be mailed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231. If applicant desires to fax a response, (703) 308-9051 may be used for formal communications or (703) 308-6606 for informal or draft communications.

Please label "PROPOSED" or "DRAFT" for informal facsimile communications. Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Art Unit: 2676

Inquiries

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Greg Cunningham whose telephone number is (703) 308-6109.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Bella, can be reached on (703) 308-6829.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 872-9306 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,
Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

G.F. Cunningham

gfc

December 2, 2003

Matthew C. Bella

**MATTHEW C. BELLA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600**